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Counsel for Defendant SHIVERS

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	
)	No. CR 07-00346 SBA
Plaintiff,)	
)	STIPULATION AND
v.)	ORDER AMENDING JUDGMENT
)	
DAVID C. SHIVERS,)	
)	
Defendant.)	

IT IS HEREBY STIPULATED, by and between the parties to this action, that the Judgment in a Criminal Case which was imposed on January 29, 2008 ("Judgment"), may be amended to reduce the special assessment from \$200.00 to \$100.00. Mr. Shivers pled guilty to one count of a two count indictment and so the special assessment should only be \$100.00

IT IS FURTHER STIPULATED by and between the parties that the Judgment be amended to add a recommendation to the Bureau of Prisons that Mr. Shivers be considered for the 500 hour RDAP program. Defense counsel contacted the Court reporter who was present at the sentencing on January 29, 2008. She reviewed her notes from the sentencing and confirmed that defense counsel

1 asked for the recommendation and that the Court indicated that it would include this
2 recommendation in the Judgment.

3 Mr. Shivers is currently serving his sentence at the federal facility in Victorville and recently
4 contacted undersigned counsel regarding the two matters described. Unless the Court amends the
5 Judgment in a Criminal Case, Mr. Shivers will be required to pay \$200 as a special assessment and
6 likely will not be able to participate in the 500 hour RDAP program.

8 DATED: September 18, 2008 /S/

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10 JOYCE LEAVITT
Assistant Federal Public Defender

11 DATED: September 18, 2008 /S/

12
13 W. DOUGLAS SPRAGUE
Assistant United States Attorney

14 I hereby attest that I have on file all holographed signatures for any signatures indicated by a
15 conformed signature (/s/) within this e-filed document.

16 **ORDER**

17 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the Judgment in a Criminal
18 Case which was imposed on January 29, 2008 ("Judgment") be amended to reduce the special
19 assessment from \$200.00 to \$100.00.

20 IT IS FURTHER ORDERED that the Judgment be amended to add a recommendation to the
21 Bureau of Prisons that Mr. Shivers be considered for the 500 hour RDAP program.

22 SO ORDERED.

23
24 DATED: 9/23/08

25 *Saundra B. Armstrong*
26 HONORABLE SAUNDRA BROWN ARMSTRONG
United States District Judge